From: Lawrence Gohar
To: Microsoft ATR
Date: 1/23/02 12:15pm
Subject: Microsoft Settlement

To whom it may concern,

As a server engineer, I am constantly faced with the undue burden that Microsoft places on my IT department. According to the terms of their varied licensing agreements, it is difficult, if not impossible in some cases, to be able to perform my professional duties. Although I am not well versed in law, I would like to point out some examples of how their anti-competitive business practices hurt the IT industry, and the population at large:

1) When negotiating with Hardware Vendors, it is often difficult to purchase a server or desktop running a competing operating system. Although I could purchase, for example, a high end server from Sun, in many cases it would make financial sense to purchase a less expensive Intel-based machine with an alternative OS preinstalled on it, or a "blank" machine which I could then install upon the OS of my choice. Since MS leverages its monopoly power against hardware vendors, I usually have to pay for a license of Windows that I will never use.

2) In cases where it is deemed necessary to utilize a Microsoft operating system or product (for example Microsoft Exchange), IT professionals, are forced to also use Microsoft Outlook, which invariably means that they are also forced to use Microsoft Windows if they choose to use the Intel platform.

3) As a result of Microsoft's lack of attention to the stability and security of their products, an inordinate amount of time (therfore money) is spent patching and repairing their products to minimize downtime and to recover from catastrophic failures, viruses, and unauthorized entry into systems that the IT department is ultimately responsible for. While constant vigilance is required of any IT department regarding the maintenance of any software or hardware product, Microsoft's monopoly in this arena allows them the lattitude to be negligent without fear of reprisal from their customers.

4) As a result of Microsoft's monopoly, end users cannot easily mix and match technologies to suit their particular needs. This is especially infuriating when one considers that many people are dissatisfied with the quality of their products and services, but have no choice but to continue using them, due to the fact that their standards prevent people from taking their existing work and moving it to another system. Microsoft Office is an excellent example of this, where I cannot easily use a Word document with a different word processing package, because much of the work I had already done would need to be re-created. As a hypothetical situation, consider the scenario where Ford or General Motors created cars that crashed frequently or were overly easy to steal due to design faults; they would suffer because

the car buying public would simply switch to a competitor. The public would be satisfied in this case because their transportation needs would be met, without being forced to still contribute to the offending company. In other words, if we are dissatisfied with Ford, we could buy a GM without having to buy Ford gas, Ford oil, Ford air-fresheners, etc. Free competition would guarantee that any company would ultimately be responsible to ensure that it produces a quality product with the satisfaction of the end user in mind.

5) Upon inspection, the prescribed remdies are too narrow in their focus to prevent this sort of behavior in the future. For example, many of the remedies are in regard to Microsoft software as it is applied to Intel hardware, however it is painfully obvious that they have many interests outside of the Intel marketplace, to which the remedies would not apply. Microsoft could just as easily switch their focus to, let's say, Apple and abandon the Intel platform. Because so many people are dependant on their software, they would have little choice but to follow them and be subjected to the same behavior that they currently employ. Ultimately, anyone who chooses to create a competing product revolving around the Intel platform would find themselves with very few customers. Organizations would find that they now have the added burden of throwing out their existing hardware for which they will get no return on investment, and be forced to spend additional money to switch to Microsoft's hardware vendor of choice.

In closing, I realize that I'm stating the obvious, which countless others have noted before me. However, if my two cents worth can contribute to a positive outcome in this matter, I'll sleep better at night knowing that I still have freedom of choice.

Sincerely,
Lawrence Gohar

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